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Attorney for AmGUARD Insurance Company

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

HAPPY VALLEY ROAD LLC,

Plaintiff,

v.

AMGUARD INSURANCE COMPANY,

Defendant.

Case No.: 3:22-cv-06115-LB

**JOINT STIPULATION AND
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Defendant AmGUARD Insurance Company (“Defendant”) and Plaintiff Happy Valley Road LLC (“Plaintiff”), by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on February 9, 2023, the Court issued an Order (Dkt. 25) granting Defendant’s Motion to Dismiss and provided Plaintiff the opportunity to amend its complaint or file a motion to stay by no later than March 22, 2023.

WHEREAS, on March 22, 2023, Plaintiff filed a motion to stay (Dkt. 29) these proceedings pending the California Supreme Court’s decision in *Another Planet Entertainment, LLC v. Vigilant Insurance Co.*, No. S277893.

WHEREAS, on May 31, 2023, the Court vacated the hearing on Plaintiff’s Motion to Stay and reset the Initial Case Management Conference set for July 13, 2023 to August 17, 2023 (Dkt. 41).

WHEREAS, on June 1, 2023, the Court issued an Order (Dkt. 42) denying Plaintiff’s Motion to Stay and ordering Plaintiff to file an amended complaint by June 29, 2023.

WHEREAS, Plaintiff will file an amended complaint on June 29, 2023 and Defendant anticipates it will file a motion to dismiss the amended complaint.

WHEREAS, the Parties request a continuance of the Initial Case Management Conference, currently set to take place on August 17, 2023, pending the outcome of Defendant’s Motion to Dismiss.

NOW, THEREFORE, subject to the approval of the Court, the Parties hereby stipulate as follows:

1. The Initial Case Management Conference shall be continued from August 17, 2023 to a date to be set by the Court following the disposition of Defendant’s Motion to Dismiss.

1 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

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3 DATED: June 29, 2023

/s/ Chet A. Kronenberg

Attorneys for Defendant

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5 DATED: June 29, 2023

/s/ T. Connor O'Carroll

Attorneys for Plaintiff

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

The Initial Case Management Conference is continued from August 17, 2023 to a date to be set by the Court following the disposition of Defendant's Motion to Dismiss.

IT IS SO ORDERED

DATED: June 30, 2023



Honorable Laurel Beeler